

REMARKS

Claims 1 to 16 are all the claims pending in the application, prior to the present Amendment.

Claims 1 to 7 have been rejected under the second paragraph of 35 U.S.C. § 112 as indefinite.

The Examiner states that it is not clear if the claims are directed to a composition. The Examiner states for examination purposes, claim 1 was interpreted as being directed to a sealant composition.

In response, applicants have amended the claims to specifically state that they are directed to a sealant composition. Applicants request withdrawal of this rejection.

The Examiner sets forth three rejections of claims 1 to 4 and one rejection of claim 5 over prior art. Applicants have amended claim 1 to incorporate the recitations of claim 6 and have canceled claim 6. Accordingly, the rejections of claims 1 to 4 and the rejection of claim 5 over prior art are believed to be overcome.

Applicants will now address the rejection of claim 6, whose subject matter has been incorporated into claim 1.

In particular, claims 6 and 7 have been rejected under 35 U.S.C. § 103 (a) as obvious over Hatsutory et al or Hatsutory et al in view of U.S. Patent 3,522,075 to Kiel.

The Examiner refers to “Hatsutory et al” twice, but does not identify two separate Hatsutory et al documents. Applicants understand that the Examiner is referring to JP 59-78220 when the Examiner refers to Hatsutory et al.

Applicants submit that Hatsutory et al and Kiel do not disclose or render obvious the subject matter of claim 1 as amended above and, accordingly, request withdrawal of this rejection.

The sealant composition according to the present invention comprises a reactive silicon group-containing acryl or saturated hydrocarbon based polymer and a -COOCH₃ group-containing compound.

Comparing Example 11 with Example 13 of the present specification, it is clear from the results shown in Table 2 at page 75 of the specification that the DMA (dimethyl adipate) employed in Example 13, which is a -COOCH₃ group-containing compound, improves weather resistant adhesiveness of the composition as compared to the composition of Example 11 which did not employ DMA, but which employed diethyldibromoadipate, which is a compound containing a -COOC₂H₅ group. The composition of Example 14 also contains DMA and it shows an excellent weather resistant adhesiveness.

Hatsutory et al (JP 59-78220) disclose a room temperature curable composition comprising a copolymer obtained from alkyl acrylate (CH₂=CHCOOR₁; R₁ is a C₂-C₈ alkyl), vinylalkoxysilane and a mercapto group-containing chain transfer agent.

The composition of Hatsutory et al does not comprise a -COOCH₃ group-containing compound in addition to the copolymer.

Further, Hatsutory et al is silent about the effect of the -COOCH₃ group-containing compound in a curable composition. Accordingly, the sealant composition of the present invention is not rendered obvious over Hatsutory et al.

In the Office Action, the Examiner argues that the disclosure in Hatsutory et al of a $\text{CH}_2=\text{CHCOOR}_1$ compound, where R_1 can be ethyl, suggests the $-\text{COOCH}_3$ group-containing compound of the present claims because a prior art compound may suggest its homologues because homologues often have similar properties. However, the Examiner has not established that the homologue of Hatsutory et al would have similar properties to the $-\text{COOCH}_3$ group-containing compound employed in the present invention. Further, as discussed above, as can be seen by comparing Examples 11 and 13 of the present specification, a composition containing the $-\text{COOCH}_3$ group-containing compound employed in Example 13 had improved properties as compared to the composition containing a $-\text{COOC}_2\text{H}_5$ group-containing compound employed in Example 11.

Kiel is directed to a process for coating glass with an organopolysiloxane. Kiel teaches that an adhesion of a curable organopolysiloxane resin composition to a glass surface can be increased by coating the glass surface with a metal oxide layer. Examples of metal oxide include titanium oxide.

First, Kiel is silent about an organopolysiloxane resin composition comprising a $-\text{COOCH}_3$ group-containing compound.

Further, Kiel uses the titanium oxide layer only to improve the adhesion. According to Kiel, the examples of metal oxide include various oxides besides titanium oxide, and Kiel does not teach to use titanium oxide as a photocatalyst. Therefore, the effect of the $-\text{COOCH}_3$ group-containing compound is unpredictable from Kiel,

Accordingly, Kiel fails to remedy the deficiency of Hatsutory et al. The sealant composition of the present invention, therefore, is not rendered obvious over Hatsutory et al in view of Kiel.

In view of the above, applicants submit that Hatsutory et al and Kiel do not render obvious the presently claimed invention and, accordingly, request withdrawal of this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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